

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

THOMAS WAYLON BOYD

PETITIONER

v.

Case No. 4:19-cv-4116

DEXTER PAYNE, Director  
Arkansas Department of Correction

RESPONDENT

**ORDER**

Before the Court is Petitioner Thomas Waylon Boyd's Motion for Reconsideration. (ECF No. 19). The Court finds that no response is necessary and that this matter is ripe for consideration.

On March 30, 2020, the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas, entered a Report and Recommendation, recommending that the Court deny Boyd's petition for a writ of *habeas corpus* under 28 U.S.C. § 2254. (ECF No. 16). Judge Bryant also recommended denying Boyd a certificate of appealability. Boyd did not object to the Report and Recommendation. On April 17, 2020, the Court found no clear error warranting a departure from Judge Bryant's findings and entered an order adopting the Report and Recommendation *in toto*. (ECF No. 18).

On May 1, 2020, Boyd filed the instant motion, stating that he never received Judge Bryant's Report and Recommendation because he was transferred to another correctional facility and then subsequently transferred to a drug treatment facility. Boyd filed a notice of change of address on April 17, 2020. Now, Boyd moves for leave to file late objections to the Report and Recommendation and for the Court to consider those objections.

Upon consideration, the Court finds that Boyd's motion (ECF No. 19), insomuch as it seeks leave to file late objections to the Report and Recommendation, should be and hereby is **GRANTED**. The Clerk of Court is **DIRECTED** to send a copy of Judge Bryant's Report and

Recommendation (ECF No. 16), along with a copy of this order, to Boyd's current address of record. Boyd has **up to and including May 25, 2020** to file objections to the Report and Recommendation. The Court will conduct a *de novo* review of any specific objections.

**IT IS SO ORDERED**, this 7th day of May, 2020.

/s/ Susan O. Hickey  
Susan O. Hickey  
Chief United States District Judge